

REMARKS

Claims 1, 2 and 4-20 are pending in this application, with Claim 3 cancelled, and Claims 1, 4 and 16 amended. The Applicants respectfully request reconsideration and review of the application in view of the amendments and the following remarks.

Before addressing the merits of the rejections based on prior art, a brief description of the present application is provided. The present invention is directed toward a system and method for interfacing an RFID base station with a legacy terminal. Specifically, as shown in Figure 2, a receiving terminal (210) is located between a legacy terminal (230) and an RFID base station (120). The receiving terminal (210) acts as an “intermediary” between the legacy terminal (230) and the RFID base station (120). See, e.g., p. 6, ll. 2-4. For example, the receiving terminal (210) may be used to provide (e.g., translate) communications from the legacy terminal (230) to the RFID base stations (120), and vice versa. This is because the communication protocol of a typical legacy terminal (*i.e.*, standard terminal emulation protocol) is generally not compatible with the communication protocol of an RFID base station. See, e.g., p. 2, ll. 12-23.

In one embodiment of the present invention, the receiving terminal (210) is adapted to (A) receive a plurality of data strings from the legacy terminal (230), and (B) identify at least one of the plurality of data strings as including RFID information. For example, the receiving terminal (210) may receive two data strings, where the first data string includes RFID information, and the second data string does not, and therefore does not need to be provided to the RFID base station (120). In this example, the receiving terminal (210) may identify the first data string by identifying at least one control character in the data string. See, e.g., p. 6, ll. 18-28. In other words, the inclusion of a control character(s) in the data string indicates that the data string is “special,” and therefore includes RFID information. By way of another example, as shown in Figure 3, a character string can be identified as being “special” (*i.e.*, including

RFID information) if it includes a space (e.g., control character) at the beginning of the character string (indicated by the character string beginning on row one, column two). Other control characters are also described (see, e.g., p. 7, ll. 6-9), and are considered to be within the spirit and scope of the present invention. The Applicants have amended Claim 1 to include features of the aforementioned embodiment.

The Examiner rejected Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Berardi et al. (U.S. Pub. No. 2007/0265964) in view of Coppola et al. (U.S. Pat. No. 6,360,138). These rejections are respectfully traversed.

Berardi et al. (“Berardi”) provides a system for using RFID technology to initiate and complete financial transactions. See, e.g., Para. 0012. Specifically, as shown in Figure 1A, Berardi provides an RFID reader (104) that is adapted to communicate with an RF transponder (114) and a POS (or point-of-sale) device (110). See, e.g., Para. 0034. Coppola et al. (“Coppola”) provides a system for upgrading a fuel dispenser at a fuel retailer. See, e.g., col. 2, ll. 33-36. Specifically, as shown in Figure 2, a controller (16) is used to translate communications between a legacy POS device (12) and a new fuel dispenser (14). See, e.g., col. 4, l. 38 - col. 5, l. 22. In the Office Action, the Examiner stated that the present invention is obvious over Berardi in view of Coppola, because it “would have been obvious to one skilled in the art at the time the invention was made to emulate a terminal and convert commands in the invention of Berardi in order to continue to use an older control device.” Office Action at p. 2. The Applicants respectfully disagree.

First, one skilled in the art would not have been motivated to combine the controller of Coppola with the RFID reader/POS device of Berardi. This is because the RFID reader and the POS device of Berardi are adapted to communicate with each other using a **common communication protocol**, and therefore **do not require a controller for translating communications**. As shown in Figure 8, the RFID reader is adapted to receive RFID information (i.e., track 1/track 2 data) from the RF transponder. See Fig. 8, ref. 822. The RFID information is then decrypted and provided to the POS

device using a common communication protocol (i.e., ISO/ICE 7813 format). See *id.* The specification provides that “the account number [i.e., RFID information] may be provided to the POS 110 device for transmission to the merchant network 112 for processing under ***known business transaction standards.***” See Para. 0088 (emphasis added). Because the RFID reader/POS device communicate using a common communication protocol, Berardi actually teaches away from using a controller (or translator), as provided in Coppola. Therefore, the rejections of Claims 1-20 should be withdrawn. See, e.g., *In re Sullivan*, 498 F.3d 1345, 1351 (Fed. Cir. 2007) (“Evidence rebutting a prima facie case of obviousness can include ... evidence ‘that the prior art teaches away from the claimed invention in any material respect.’”); see also M.P.E.P. § 2145 (“Office personnel should consider all rebuttal arguments and evidence presented by applicants.”) and § 2145(X)(D)(2) (“It is improper to combine references where the references teach away from their combination.”).

Second, neither Berardi nor Coppola disclose or suggest all the limitations of the present invention. For example, Claim 1 provides a method of interfacing a terminal with an RFID base station that includes “inserting at least one control character into a data string to make said data string recognizable as including RFID information.” The Examiner stated that Berardi does not disclose “converting commands” (see Office Action at p. 2), and therefore does not disclose this limitation (i.e., using a control character to identify information that needs to be converted). Coppola also does not disclose or suggest this limitation. Instead, Coppola provides a controller (16) (i.e., site forecourt controller) for translating each and every communication between the legacy POS device (12) and the fuel dispenser (14). ***Coppola does not disclose or suggest a controller that only translates communications that are identified as “special” (i.e., include a control character(s)).***

As shown in Figure 2, the controller (16) of Coppola includes a CAT (customer access terminal) emulator (42) and a dispenser emulator (44) that are adapted to translate communications from a first protocol into a second protocol, and vice versa.

The customer access terminal emulator 42 responds to the LPOS controller 12 for translating a first set of legacy POS customer access terminal commands received from the LPOS controller 12 into a second set of POS customer access terminal commands, the second set of POS commands being suitable for use by a customer access terminal of the new generation fuel dispenser 14. ... The customer access terminal emulator 42 is further responsive to the customer access terminal of the new generation fuel dispenser 14 for translating a second set of POS CAT messages received from the customer access terminal of the new generation fuel dispenser 14 into a first set of legacy POS CAT messages suitable for use by the LPOS controller 12.

Col. 4, l. 53 - col. 5, l. 22. Not only is the controller (16) not adapted to **selectively** translate communications between the legacy POS device (12) and the fuel dispenser (14), but **it is also not adapted to identify a data string as “special” (i.e., including information that needs to be translated) using at least one control character.** Because Berardi and Coppola do not disclose or suggest the use of at least one control character to identify a data string as including RFID information, the rejection of Claim 1, and Claims 2 and 4-9, which depend therefrom, should be withdrawn. See, e.g., M.P.E.P. § 706.02(j) (stating that the references must “expressly or impliedly suggest the claimed invention”).

For the same reasons, the rejection of Claim 10 should also be withdrawn. While the Coppola controller is adapted to receive a plurality of data strings, **it is not adapted to identify/translate only a portion of the data strings.** In other words, Coppola does not disclose or suggest, either alone or in combination with Berardi, “[a] radio frequency identification (RFID) system, comprising: an RFID base station adapted to communicate with at least one RFID transponder; and a first terminal electrically connected to said RFID base station and a second terminal, said first terminal adapted to: communicate with said RFID base station using an RFID protocol; communicate with said second terminal using a standard terminal emulation protocol; **receive a plurality of data strings from said second terminal, wherein a portion of said plurality of data**

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strings are directed toward said RFID base station and include RFID information; identify said portion of said plurality of data strings; use said RFID information and said RFID protocol to generate at least one RFID signal; and transmit said at least one RFID signal to said RFID base station.” Therefore, the rejection of Claim 10, as well as Claims 11-15, which depend therefrom, should be withdrawn. Further, the rejection of Claim 16, which includes similar limitations to Claim 10, and the rejections of Claims 17-20, which depend from Claim 16, should also be withdrawn.

In view of the foregoing, Applicants respectfully submit that Claims 1, 2 and 4-20 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. To the extent it would be helpful to place this application in condition for allowance, Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

To the extent necessary, Applicants petition the Commissioner for a one-month extension of time, extending to April 28, 2008 (the first business day following April 27, 2008), the period for response to the Office Action dated December 27, 2007. The Commissioner is authorized to charge \$120 for the one-month extension of time, pursuant to 37 C.F.R. § 1.17(a)(1), and any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,

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